

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

AMERIPRIDE SERVICES, INC.,  
A Delaware corporation,

Plaintiff,

v.

VALLEY INDUSTRIAL SERVICE, INC.,  
a former California corporation,  
et al.,

Defendants.

\_\_\_\_\_  
AND CONSOLIDATED ACTION AND  
CROSS- AND COUNTER-CLAIMS.  
\_\_\_\_\_

NO. CIV. S-00-113 LKK/JFM

O R D E R

Pending before the court is plaintiff AmeriPride's motion to set Pretrial Conference and Trial dates. Counsel for the plaintiff and for defendant Texas Eastern Overseas, Inc. ("TEO") appeared for hearing on the motion on August 11, 2008. Based upon the hearing and the parties' papers, the court orders as follows:

1. Defendant TEO SHALL file and serve not later than forty-five (45) days from the date of this order a motion for

1 judgment on the pleadings or motion for summary judgment  
2 on the issue of TEO's capacity to be sued.


3 2. Plaintiffs SHALL file an opposition or statement of non-  
4 opposition not later than twenty (20) days thereafter.

5 3. Defendant may file a reply not later than ten (10) days  
6 thereafter.

7 4. Hearing on the motion is SET for November 3, 2008 at  
8 10:00 AM in Courtroom Four.

9 IT IS SO ORDERED.

10 DATED: August 12, 2008.

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14 LAWRENCE K. KARLTON  
15 SENIOR JUDGE  
16 UNITED STATES DISTRICT COURT  
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